

FORM NLRB-501

FORM EXEMPT UNDER 44 U.S.C. 3512

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST EMPLOYER**

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
05-CA-276021	4/22/21

**INSTRUCTIONS**

File an original with NLRB Regional Director for the Region in which the alleged unfair labor practice occurred or is occurring..

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer	b. Number of workers employed	
TDB Communications and Capitol Bridge, as Joint Employers	Approx. 200	
c. Address (street, city, state, ZIP code)	d. Employer Representative	e. Telephone/ Fax No.'s
1) TDB Communications, Inc. 10901 W. 84 <sup>th</sup> Terrace, Ste. 125 Overland Park, KS 66214	1) (b) (6), (b) (7)(C)	1) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)@tdbgov.com
2) Capitol Bridge, LLC 2300 9 <sup>th</sup> Street S, Ste. PH 3 Arlington, VA 22204	2) (b) (6), (b) (7)(C)	2) (b) (6), (b) (7)(C); (703) 801-8821; (844) 292-9520; (b) (6), (b) (7)(C)@capitolbridgellc.com
f. Type of establishment (factory, mine, wholesaler, etc.)	g. Identify principal product or service	
Employment Agencies	Government Contractors	
h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)		
<p>On or about (b) (6), (b) (7)(C) 2021, the above-named Employers, by their officers, agents and representatives discharged (b) (6), (b) (7)(C) because (b) (6), (b) (7)(C) engaged in protected concerted activities.</p> <p>By the above and other acts, the above-named Employers have interfered with, restrained and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.</p>		
3. Full name of party filing charge (if labor organization, give full name, including local name and number)		
(b) (6), (b) (7)(C)		
4a. Address (street and number, city, state and ZIP code)	4b. Telephone/Cell No./E-Mail	
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization).		
6. DECLARATION		
Statements are true to the best of my knowledge and belief.		
By _____	Title, if any	
Signature of _____	An Individual	
Address	Telephone No.	Date
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	4/21/2021

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, and SECTION 1001)

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198



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April 23, 2021

(b) (6), (b) (7)(C)

TDB Communications, Inc.  
10901 W. 84<sup>th</sup> Terrace, Suite 125  
Overland Park, KS 66214

(b) (6), (b) (7)(C)

Capitol Bridge, LLC  
2300 9<sup>th</sup> Street South, Suite PH3  
Arlington, VA 22204

Re: TDB Communications and Capitol Bridge  
as Joint Employers  
Case 05-CA-276021

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney Oluwatosin Fadarey whose telephone number is (410) 962-2201. If Oluwatosin Fadarey is not available, you may contact Supervisory Field Attorney Patrick J. Cullen whose telephone number is (410) 962-2916.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as

April 23, 2021

soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly. **Due to the nature of the allegations in the enclosed unfair labor practice charge, we have identified this case as one in which injunctive relief pursuant to Section 10(j) of the Act may be appropriate.** Therefore, in addition to investigating the merits of the unfair labor practice allegations, the Board agent will also inquire into those factors relevant to making a determination as to whether or not 10(j) injunctive relief is appropriate in this case. Accordingly, please include your position on the appropriateness of Section 10(j) relief when you submit your evidence relevant to the investigation.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Correspondence:** All documents submitted to the Region regarding your case MUST be filed through the Agency's website, [www.nlr.gov](http://www.nlr.gov). This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all

April 23, 2021

evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlrb.gov](http://www.nlrb.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Sean R. Marshall".

Sean R. Marshall  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

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April 23, 2021

(b) (6), (b) (7)(C)

Re: TDB Communications and Capitol Bridge  
as Joint Employers  
Case 05-CA-276021

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on April 22, 2021 has been docketed as case number 05-CA-276021. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney Oluwatosin Fadarey whose telephone number is (410) 962-2201. If Oluwatosin Fadarey is not available, you may contact Supervisory Field Attorney Patrick J. Cullen whose telephone number is (410) 962-2916.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Due to the nature of the allegations in the enclosed unfair labor practice charge, we have identified this case as one in which injunctive relief pursuant to Section 10(j) of the Act may be appropriate.** Therefore, in addition to investigating the merits of the unfair labor practice allegations, the Board agent will also inquire into those factors relevant to making a determination as to whether or not 10(j) injunctive relief is appropriate in this case. Accordingly, please include your position on the appropriateness of Section 10(j) relief when you submit your evidence relevant to the investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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April 23, 2021

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Sean R. Marshall". The signature is fluid and cursive, with the first name "Sean" and last name "Marshall" clearly distinguishable.

Sean R. Marshall  
Regional Director

Enclosure: Copy of charge

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD <b>FIRST AMENDED CHARGE AGAINST EMPLOYER</b>		<b>DO NOT WRITE IN THIS SPACE</b>	
		Case 05-CA-276021	Date Filed 1/28/22
<b>INSTRUCTIONS:</b>			
File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.			
1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT			
a. Name of Employer TDB Communications, Inc. and Capitol Bridge, LLC, as Single or Joint Employers		b. Tel. No. and E-mail (b) (6), (b) (7)(C) (TDB) (b) (6), (b) (7)(C) (Capitol Bridge)	
		c. Cell No.	
d. Address (street, city, state, ZIP code) TDB Communications, Inc. 10901 W. 84 <sup>th</sup> Terrace, Ste 125 Overland Park, KS 66214  Capitol Bridge, LLC 2300 9 <sup>th</sup> Street S, Ste PH 3 Arlington, VA 22204		e. Employer Representative (b) (6), (b) (7)(C)  (b) (6), (b) (7)(C)	
		f. Fax No.	
		g. Email	
		h. Number of workers employed 200	
i. Type of Establishment (factory, mine, wholesaler, etc.) Employment agencies		j. Identify principal product or service Government Contractors	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) On or about (b) (6), (b) (7)(C), 2021, the above-named employers by their officers, agents and representatives discharged (b) (6), (b) (7)(C) because (b) (6), (b) (7)(C) engaged in protected concerted activities, and by other acts and conduct, interfered with, restrained and coerced its employees in the exercise of the rights guaranteed in Section 7 of the Act.			
3. Full name of party filing charge (if labor organization, give full name, including local name and number) (b) (6), (b) (7)(C)			
4a. Address (street and number, city, state, and ZIP code) (b) (6), (b) (7)(C)		4b. Tel No.	
		4c. Cell No. (b) (6), (b) (7)(C)	
		4d. Fax No.	
		4e. e-Mail (b) (6), (b) (7)(C)	
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)			
6. DECLARATION I declare that (b) (6), (b) (7)(C) statements are true to the best of my knowledge and belief.		Tel No.	
By	(b) (6), (b) (7)(C)	Cell No. (b) (6), (b) (7)(C)	
(signature)	(b) (6), (b) (7)(C), An Individual	Fax No.	
	(Print/type name and title or office, if any)	e-Mail (b) (6), (b) (7)(C)	
(b) (6), (b) (7)(C)		1/19/22	
(Address)		(date)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. §151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

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January 31, 2022

Christopher R. Shiplett, Esq.  
Randolph Law, PLLC  
252 N. Washington Street  
Falls Church, VA 22046

Re: TDB Communications, Inc. and Capitol  
Bridge, LLC, as Single or Joint Employers  
Case 05-CA-276021

Dear Mr. Shiplett:

Enclosed is a copy of the first amended charge that has been filed in this case.

**Investigator:** This charge is being investigated by Field Attorney Oluwatosin Fadarey whose telephone number is (410) 962-2201. If the agent is not available, you may contact Supervisory Field Attorney Patrick J. Cullen whose telephone number is (410) 962-2916.

**Presentation of Your Evidence:** As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a

January 31, 2022

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,



Sean R. Marshall  
Regional Director

Enclosure: Copy of first amended charge

cc: (b) (6), (b) (7)(C)

10901 W. 84<sup>th</sup> Terrace, Suite 125  
Overland Park, KS 66214

(b) (6), (b) (7)(C)

Capitol Bridge, LLC  
2300 9<sup>th</sup> Street South, Suite PH3  
Arlington, VA 22204



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January 31, 2022

(b) (6), (b) (7)(C)

Re: TDB Communications, Inc. and Capitol  
Bridge, LLC, as Single or Joint Employers  
Case 05-CA-276021

Dear (b) (6), (b) (7)(C):

We have docketed the first amended charge that you filed in this case.

**Investigator:** This charge is being investigated by Field Attorney Oluwatosin Fadarey whose telephone number is (410) 962-2201. If the agent is not available, you may contact Supervisory Field Attorney Patrick J. Cullen whose telephone number is (410) 962-2916.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to

January 31, 2022

comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Sean R. Marshall". The signature is fluid and cursive, with the first name "Sean" and last name "Marshall" clearly distinguishable.

Sean R. Marshall  
Regional Director

Enclosure: Copy of first amended charge

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 05**

TDB COMMUNICATIONS, INC. AND  
CAPITOL BRIDGE, LLC,  
A SINGLE EMPLOYER OR JOINT EMPLOYERS

and

Case 05-CA-276021

**(b) (6), (b) (7)(C)**, AN INDIVIDUAL

**COMPLAINT AND NOTICE OF HEARING**

This Complaint and Notice of Hearing is based on a charge filed by **(b) (6), (b) (7)(C)**, an Individual (the Charging Party). It is issued pursuant to Section 10(b) of the National Labor Relations Act (the Act), 29 U.S.C. § 151 et seq., and Section 102.15 of the Rules and Regulations of the National Labor Relations Board (the Board) and alleges that TDB Communications, Inc. and Capitol Bridge, LLC, a single employer or joint employers, (herein referred to collectively as Respondent, and individually as Respondent TDB Communications and Respondent Capitol Bridge) has violated the Act as described below.

1. (a) The charge in this proceeding was filed by the Charging Party on April 22, 2021, and a copy was served on Respondent by U.S. mail on April 23, 2021.

(b) The first amended charge in this proceeding was filed by the Charging Party on January 28, 2022, and a copy was served on Respondent by U.S. mail on January 31, 2022.

2. (a) At all material times, Respondent TDB Communications has been a corporation with an office and place of business in the District of Columbia, and has been engaged in the business of providing business process outsourcing, knowledge process outsourcing, and legal process outsourcing services to various government entities.

(b) During the 12-month period ending April 30, 2022, Respondent TDB Communications has conducted its business operations in Washington DC, and the Board asserts plenary jurisdiction over enterprises in Washington DC.

(c) At all material times, Respondent TDB Communications has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

(d) At all material times, Respondent Capitol Bridge has been a limited liability company with offices and places of business in Arlington, Virginia, and Washington DC, and has been engaged in providing records and data management services and administrative staffing services to various business and governmental entities.

(f) During the 12-month period ending April 30, 2022, Respondent Capitol Bridge performed services valued in excess of \$50,000 in States other than the Commonwealth of Virginia.

(g) At all material times, Respondent Capitol Bridge has conducted its business operations in Washington DC, and the Board asserts plenary jurisdiction over enterprises in Washington DC.

(h) At all material times, Respondent Capitol Bridge has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

(i) At all material times, Respondent TDB Communications and Respondent Capitol Bridge have been affiliated business enterprises with common management, and supervision; have administered a common labor policy; have provided services for and made sales to each other; have interchanged personnel with each other; have interrelated operations; and have held themselves out to the public as a single-interrelated business enterprise.

(j) At all material times, Respondent TDB Communications and Respondent Capitol Bridge have been jointly providing staffing services to the District of Columbia Department of Employment Services (DC DOES).

(k) At all material times, Respondent Capitol Bridge has possessed control over the labor relations policy of Respondent TDB Communications and administered a common labor policy for the employees employed on Respondent Capitol Bridge's contract with DC DOES.

(l) Based on its operations described above in paragraphs 2(a) through 2(i), Respondent constitutes a single-interrelated business enterprise and a single employer within the meaning of the Act.

(m) In the alternative, at all material times, Respondent TDB Communications and Respondent Capitol Bridge have been joint employers of the employees employed on Respondent Capitol Bridge's contract with DC DOES.

3. At all material times, the following individuals have held positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the Act and agents of Respondent within the meaning of Section 2(13) of the Act:

(a) (b) (6), (b) (7)(C)

(b) (b) (6), (b) (7)(C)

(c) (b) (6), (b) (7)(C)

(d) (b) (6), (b) (7)(C)

(e) (b) (6), (b) (7)(C)

(f) (b) (6), (b) (7)(C)

(g) (b) (6), (b) (7)(C)

(h) (b) (6), (b) (7)(C)

(i) (b) (6), (b) (7)(C)

(j) (b) (6), (b) (7)(C)

4. (a) Since on or about February 17, 2021, Respondent's employee, the Charging Party, engaged in concerted activities with other employees, for the purposes of mutual aid and protection, by presenting complaints to Respondent regarding work assignments and other terms and conditions of employment on behalf of (b) (6), (b) (7)(C) and other employees.

(b) On (b) (6), (b) (7)(C), 2021, Respondent discharged the Charging Party.

(c) Respondent engaged in the conduct described above in paragraph 4(b), because the Charging Party engaged in the conduct described above in paragraph 4(a), and to discourage employees from engaging in these or other concerted activities.

5. By the conduct described above in paragraphs 4(b) and 4(c), Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

6. The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

### **REMEDY**

As part of the remedy for the unfair labor practice alleged above in paragraphs 4 and 5, the General Counsel seeks an Order that Respondent be required to: (1) draft and send a letter to the Charging Party apologizing to (b) (6), (b) (7)(C) for (b) (6), (b) (7)(C) discharge and any hardship or distress it caused, and requiring Respondent to provide a copy of this letter to the Regional Director within

7 days of distribution; (2) make whole the Charging Party including, but not limited to, reimbursement of direct and foreseeable consequential damages (b) (6), (b) (7) incurred as a result of Respondent's unlawful conduct; and (3) in the event the Charging Party declines reinstatement to (b) (6), (b) (7) former job, that the Charging Party be made whole including, but not limited to, payment of front pay for a reasonable period following any decision by the Charging Party to decline a valid offer of reinstatement.

The General Counsel further seeks all other relief as may be just and proper to remedy the unfair labor practices alleged.

### **ANSWER REQUIREMENT**

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the complaint. The answer must be **received by this office on or before June 2, 2022.** Respondent also must serve a copy of the answer on each of the other parties.

The answer must be filed electronically through the Agency's website. To file electronically, go to [www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. Responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon

(Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the complaint are true.

### **NOTICE OF HEARING**

PLEASE TAKE NOTICE THAT on July 26, 2022, at 10:00 a.m., at the Board Hearing Room, Suite 6001, 1015 Half Street, S.E., Washington, DC, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this complaint. The procedures to be followed at the hearing are described in the attached Form

NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated at Baltimore, Maryland this 19<sup>th</sup> day of May 2022.

(SEAL)

/s/ SEAN R. MARSHALL

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Sean R. Marshall, Regional Director  
National Labor Relations Board, Region 5  
Bank of America Center - Tower II  
100 South Charles Street, Suite 600  
Baltimore, MD 21201

Attachments

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 05**

TDB COMMUNICATIONS, INC. AND  
CAPITOL BRIDGE, LLC,  
A SINGLE EMPLOYER OR JOINT EMPLOYERS

And

(b) (6), (b) (7)(C), AN INDIVIDUAL

Case 05-CA-276021

**RESPONDENTS' ANSWER**

Respondents TDB Communications, Inc., and Capitol Bridge, LLC, jointly, by counsel,  
for their answer to the Complaint, respond as follows:

1. Respondents:

- a. Admit the allegations in paragraph 1(a).
- b. Admit the allegations in paragraph 1(b).

2. Respondents:

- a. Admit the allegations in paragraph 2(a).
- b. Admit that TDB Communications has conducted business operations in Washington DC, admits that the Board asserts plenary jurisdiction over enterprises in Washington DC, but denies the allegation to the extent it alleges that TDB Communications -only- conducts business operations in Washington DC.
- c. Admit the allegations in paragraph 2(c).

- d. Admit the allegations in paragraph 2(d), except to deny the allegation that Capitol Bridge has an office in Washington DC.
- e. There is no paragraph 2(e) in the complaint.
- f. Admit the allegations in paragraph 2(f).
- g. Admit the allegations in paragraph 2(g), except to deny the allegation to the extent it asserts or implies that Capitol Bridge -only- conducts business in Washington, DC.
- h. Admit the allegations in paragraph 2(h).
- i. Deny the allegations in paragraph 2(i), except to admit that TDB Communications and Capitol Bridge have administered a common labor policy and have provided services for and made sales to each other. The Respondents specifically deny that they are affiliated business enterprises and specifically deny that they have held themselves out to the public as a single-interrelated business enterprise.
- j. Deny the allegations in Paragraph 2(i), except that the Respondents admit that TDB Communications provided staffing services to the District of Columbia Department of Employment Services (DC DOES) as a subcontractor to Capitol Bridge, which held the direct contract with DC DOES to provide the staffing services. The Respondents admit that the Respondents were a joint employer of (b) (6), (b) (7)(C).
- k. Admit the allegations in Paragraph 2(k).
- l. Deny the allegations in Paragraph 2(l).
- m. Admit the allegations in Paragraph 2(m).

3. Respondents admit that the employees listed in paragraph 3 of the complaint have either held the positions described by title in the paragraph or have held analogous or similar positions. Respondents admit that the listed employees are “agents” of the Respondents as that term is defined in Section 2(13) of the Act. Respondents admit that (b) (6), (b) (7)(C) have been “supervisors” for Respondents within the meaning of Section 2(11) of the Act but deny that the other employees listed have been “supervisors” of the Respondents within the meaning of Section 2(11) of the Act.
4. Respondents:
  - a. Deny the allegations in paragraph 4(a) of the Complaint.
  - b. Admit the allegations in paragraph 4(b) of the Complaint.
  - c. Deny the allegations in paragraph 4(c) of the Complaint.
5. Respondents deny the allegations in paragraph 5 of the Complaint.
6. Respondents deny the allegations in paragraph 6 of the Complaint.

#### **DEFENSES AND AFFIRMATIVE DEFENSES**

7. The Complaint fails to state a claim upon which relief can be granted.
8. (b) (6), (b) (7)(C) actions in complaining about training were solely on (b) (6), (b) (7)(C) own behalf and not concerted actions, and therefore do not fall under those actions the NLRB will review.
9. (b) (6), (b) (7)(C) was terminated for cause for reasons unrelated to (b) (6), (b) (7)(C) engaging in purportedly protected activities.

10. (b) (6), (b) (7)(C) termination was not motivated by any animus towards (b) (6), (b) (7)(C) engaging in purportedly protected activities.

Wherefore the Respondents respectfully request that the Board dismiss the Complaint in its entirety.

Dated June 2, 2022

Respectfully submitted,

TDB COMMUNICATIONS, INC.  
CAPITOL BRIDGE, LLC



By: \_\_\_\_\_  
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